

IN THE UNITED STATES DISTRICT COURT
FOR THE Eastern DISTRICT OF TEXAS
Beaumont DIVISION

Form To Be Used By A Prisoner in Filing a Complaint Under the Civil Rights Act, 42 U.S.C. § 1983

FILED

U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

CCC OF 2006

Kenneth Cassap #1258732
Plaintiff's name and ID Number

DAVID J. MALAND, CLERK
BY OC
DEPUTY

Mark W. Styles Unit
Place of Confinement

CASE NO: 1:06CV0793
(Clerk will assign the number)

v.

John Smith 3060 FM 3514 Beaumont Tx 77725
Defendant's name and address

New Case No. 1:09cv385

Prasad Suresh 3060 FM 3514 Beaumont Tx
Defendant's name and address

Timothy Lester 3060 FM 3514 Beaumont Tx 77725
Defendant's name and address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the Clerk of the United States Court for the appropriate District of Texas in the Division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. The list labeled as "VENUE LIST" is posted in your unit law library. It is a list of Texas prison units indicating the appropriate District Court, the Division and an address of the Divisional Clerks.

Previous Lawsuits

1.

6-1-05

Kenneth Crissip v. Jonathan Davis

U.S. Federal District Court, Southern District, Beaumont Division

Judge Ron Clark

case # 1:05 cv-00379

Dismissed without prejudice 9/7/2006

2.

march 13-2006

Kenneth Crissip v. Jonathan Davis

U.S. Federal District Court, Southern District, Beaumont Division

Judge Crane

case # 1:06 cv 151

case pending

3.

november 28, 2005

Kenneth Crissip v. Robin E. Tollin

U.S. Federal District Court, Southern Division, Beaumont

Judge Hewittfield

case # 1:05 cv 789

case pending

Exhibit A

On June 26th 2006 at the Mark W Stiles unit in Beaumont TX at the direction of Virgil Weaver and Carl L Plock plaintiff was placed in protective custody. Virgil Weaver, Carl L Plock and an "Unknown officer" failed to retrieve plaintiff's personal property for over seven hours and failed to inventory as per TDCJ policy. The defendants knew or should have known that failure to follow these policies would have damaged plaintiff. Plaintiff has suffered a medical injury, emotional distress, financial hardship due to the loss of his personal property.

Timothy Lester, John Smith, Virgil Weaver and Dr Surapaneni were aware that ventilation in 11 bid was inadequate per TDCJ policies as temperatures exceeded 100°F in cells with no ventilation system. For a period exceeding 30 days commencing on June 28th 2006 plaintiff suffered heat rash over 90% of his body, water blisters, nausea, occasional losses of consciousness. No medical treatment or removal to a safe environment was provided despite numerous requests. The medical department at Mark W Stiles had previous knowledge of plaintiff's sensitivity to extreme temperatures.

On October 27th 2006 John Smith "warden" at the Mark W Stiles unit in Beaumont TX threatened to place petitioner back in population at the prison where he was a known informant. He reminded plaintiff that snitches end up "dead". He informed petitioner not to "snitch" to a federal judge or that's what will happen, you'll end up in population.

Exhibit B

6. University of Texas Medical Center Inc and/or unknown HMO contracted to provide medical care to Texas State Prisoners.

Said entity has failed in its duty to provide adequate and reasonable care. They have failed to adequately train and or supervise medical staff. they have instituted policies that knowingly result in inmates receiving inadequate care

7. John Smith, Head Warden, Mark W Stiles
3060 FM. 3514 Beaumont TX 77705

threatening Plaintiff for addressing grievances, failing to adequately train officers as to TDCJ policies, failure to address Plaintiff's grievances.